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# **Dimension of Decentralization Process and Rural Local Government in India: A Comparison with Bangladesh**

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# Dimension of Decentralization Process and Rural Local Government in India: A Comparison with Bangladesh

Md. Taufiqul Islam<sup>\*</sup> and Koichi Fujita<sup>\*\*</sup>

**Abstract:** Decentralization is a widely used concept, and it is closely linked with democracy, development and good governance. Many research findings clearly demonstrate that decentralization provides an institutional mechanism through which citizens at various levels can organize themselves and participate in the decision making process. The present study examines the dimension of the decentralization process in the rural administration in India as compared to Bangladesh. Both India and Bangladesh have three tiers rural administration: lower, middle and upper. A previous study examined that the lowest-tier rural administration in Bangladesh has huge dependency on the middle tier. However, rural administration in India has been empowered by decentralization. The decentralization process in India especially in West Bengal has been found to be a more effective way of meeting local needs. The 73rd Constitutional Amendment Act empowers the rural local governance (*Panchayats Raj*) Institutions and facilitates three tiers rural self-governance in India. The relation in three tiers is cooperative; their roles and functions are clearly specified. Therefore, the present study investigates the decentralization process at the middle-tier (*Panchayat Samiti*) rural administration in India to see what insights could be gained that would be applicable to the middle-tier (*Upazila Parishad*) rural administration in Bangladesh. The study also examines the prospect of building a decentralized rural administration at the *Upazila* Level.

**Keywords:** Decentralization, Rural Administration, Middle-tier, India, *Panchayat Samiti*, Bangladesh, *Upazila Parishad*

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## 1. Introduction

Local government is one form of a decentralized system which is affected by the transfer of authority or responsibility for decision making, management or resources allocation from higher level of government to its subordinate units (Sarkar 2003). The role of local government varies from one country to another, but in every democratic society local government has some part to play (Alan 1997). In most South Asian countries, rural authorities are characterized by a weak institutional capacity to deliver public services and promote local development.

**Table 1. Comparable Administrative Units in Some Selected Countries**

Countries	Lowest-tier	Middle-tier	Upper-tier
<b>Bangladesh</b>	<i>Union Parishad</i>	<i>Upazila Parishad/Thana Parishad</i>	<i>Zila Parishad</i>
<b>India</b>	<i>Gram Panchayet</i>	<i>Pachayet Samitti/ Community Development Block (C D Block)</i>	District Council
Pakistan	Union Council	Tehsil/ <i>Taluka</i>	District Council
Britain	Parish Council	Rural District	Country Council

**Sources:** Based on data from: Robert and Jenie, 2001; Nagendra, 2003; and Zaidi, 1991. SIPRD, 2008

There is a wide divergence in the structure and composition of the local government bodies in South Asia. Although there is no direct equivalence between rural local government in Bangladesh and those of other countries, a rough comparison is given. Table 1 provides approximately equivalent administrative units in Bangladesh, India, Pakistan and Britain based on level of government. The system of local government in Bangladesh is quite different from that of other countries. Bangladesh inherited its local government system from British India which is quite different from the system of local government prevailing in Britain. In the British system, the local bodies are fully elective while in Bangladesh, the local bodies are a mixture of elected, nominated and official functionaries (Nagendra 2003). Local government administration in Bangladesh is, in many ways, similar to India as the two countries share a common history. Table 1 also indicates that both in Bangladesh and India, rural government administration is divided into three levels: lower, middle and upper. Local government in Bangladesh is usually dependent on the central government for most of their activities, and the central government has the power to dissolve a local body on charges of gross inefficiency, abuse of power, or inability to meet financial obligations (Habibullah 1996). The local government institutions in Bangladesh were created more with the intention of exercising centralized control over people in remote locations than with empowering

and supporting local government institutions in rural areas. The role and functions of rural administration in Bangladesh have remained limited from the time of its establishment (Khan 2009; Hussain 2005; Noor 1996). By contrast, despite a similar origin of British Indian policies, rural administration in India is empowered relative to other South Asian countries. In the recent past, *Panchayats*, the lowest and middle tiers of government in India, have been instrumental in introducing far-reaching rural development in India, which in turn, has had a strong effect on equity in rural areas (Ponna and Susil 2004; Siddiqui 1994; Pramanik 1994).

The *Panchayats Raj* system as a form of local self-government was embodied as an 'aspiration' in the 1950 Indian constitution. In practice, responsibility for implementation of this aspiration was devolved on the states. In addition, almost no action was taken by any Indian state till the late seventies and early eighties, when opposition parties were elected to power in some states, notably West Bengal and Karnataka (Chandan and Prabhat 1995). After a decade of political violence and upheavals, the left front, a combine of leftist parties led by the Marxist Communist Party of India (CPI) came to power in West Bengal in 1977 on a platform of vigorous agrarian and political reform. The democratization of the *Panchayat* system was one of the first initiatives taken by the left Front government in West Bengal after it was voted into office in 1977. It was a landmark in the evolution of local self-government in India (Bardhan 2000). West Bengal is the first and only major state to have had timely *Panchayat* elections on a party basis, regularly, every five years since 1978, a year after the Left Front government was elected to power in the state.

The experience of West Bengal under the *Panchayat* system stood in sharp contrast to the other states in India and together with land reform, the system was credited for playing an important role in the impressive economic turnaround of the state from the mid-1980s (Rawal and Madhura 1998). West Bengal is one of the few states in India to have devolved power to the *Panchayats* and succeeded in the sphere of development (PRDD 2009). However, despite its pioneering status in terms of reforms of the *Panchayats* system, West Bengal now lags behind several other states in terms of devolution of power, finances and functions to the *Panchayats*. Also, the extent of people's participation in the planning process is significantly less than that in Kerala (Ghatak 2002). The Kerala experiment of democratic decentralization was an attempt to augment the space for 'public action' by establishing a decentralized, participatory system of planning (Horilal 2004). The Karnataka model had so far been considered the

most radical one and now Kerala's model goes beyond the former (Mathew 2002).

Perhaps based on development in West Bengal, Karnataka and Kerala, central government required that "the state shall take steps to strengthen local self-government and decentralization process" (Ram 2007; Horilal 2004; Ponna and Susil 2004; Mathew 2002; Lieten 1992). Various committees were created by different authorities to advise the central government on different aspects of decentralization. The primary objective being to strengthen the *Panchayats Raj* Institution (PRI). Most notable were the G.V.K Rao Committee 1985 and the L.M. Singha Committee 1986. The late Prime Minister Rajiv Gandhi, introduced the 64th constitutional Amendment bill in 1989. His purpose was to confer constitutional status on the PRIs. This was perhaps a clear indication that central government recognized the need to protect and institutionalize the PRIs since they would play a significant role in uplifting the huge rural population. Nearly five years later, the Constitution Seventy Third Amendment Act 1992, conferred constitutional status to PRIs. This Act is a landmark in the history of democratic decentralization in India. The Act came into force on April 24, 1993.

### **1.1. The Concept of Decentralization and Its Significance**

There are different types of decentralization. These are political, administrative, fiscal and market decentralization. Political, administrative, fiscal and market decentralization can appear in different forms and combinations across countries, within countries and even within sectors. Political decentralization is the transfer of authority to a sub national body. Political decentralization aims to give citizens or their elected representatives more power in public decision making. It is often associated with pluralistic and representative government, but it can also support democratization by giving citizens, or their representatives, more influence in the formulation and implementation of policies (Jennie and Richard 1998; WBDTT).

Administrative decentralization involves the full or partial transfer of an array of functional responsibilities to the local level such as health care service, the operation of schools, the management service personnel, the building and maintenance of roads and garbage collection. Decentralization has been defined by various scholars of public administration as transference of authority from a higher level of government to a lower, delegation of decision making, placement of authority with responsibility, allowing greatest number of actions to be taken where most of the people reside, removal of functions from the center to the periphery, a mode of operations involving wider



participation of people in the whole range of decision making beginning from plan formulation to implementation (Rondinelli and Nellis 1986; Rahman 1996). There are three major forms of administrative decentralization (Sarah and Matthias 2005; WBDTT): deconcentration, delegation and devolution - each have different characteristics. These are given below:

**Deconcentration** is often considered to be the weakest form of decentralization and is used most frequently in unitary states-redistributes decision making authority and financial and management responsibilities among different levels of the central government. This may mean shifting of workload from one ministry to the other or from ministry to its field or local administration (Ali 1995; Islam 1997). In other words it can merely shift responsibilities from central government officials in the capital city to those working in regions, provinces or districts, under this setup, local or field administration is done only under the supervision of central government ministries. This form of decentralization is used by many of African and Asian countries like Kenya, Tunisia, Tanzania, Morocco, Algeria, Pakistan, Philippine, Indonesia and Thailand in past decades (Islam 1997; Hyden 1983).

**Delegation** is a more extensive form of decentralization. It involves the transfer of responsibility for decision making and administration of public functions from the central govt. to semi-autonomous organizations that are not wholly controlled by the central government, but are ultimately accountable to it. These organizations usually have a great deal of discretion in decision making, for example many developing countries utilizes this practice in the creation of boards, authorities, corporations or any other separate agencies for carrying out specific functions (Khan 2009) .

**Devolution** is the third form of administrative decentralization. Devolution as the transfer of significant power, including law making and revenue raising, by law to the locally elected bodies (Conyers 1986). There is a set of five fundamental characteristics in explaining the purest form of devolution identified by Cheema and Rondinelli (1983).

- a) Power should be transferred to autonomous units governed independently and separately without the direct control of central government;
- b) The units enjoy corporate status and powers to secure its own resources to perform its function;
- c) The units maintain control over a recognized geographical area;
- d) Devolution implies the need to develop local government institutions;
- e) It is an arrangement of reciprocal, mutually beneficial and coordinate relationship between central and local government.

As we know decentralization means transfer of power and authority from the central government to local or sub national units of the government for the meeting of grass root peoples demand. The term has been more used to mean institutionalization of local government for unburdening the central government, facilitating local decision-making for local problem-solving, and encouraging popular participation as a democracy-enriching device. World Bank also referred to the increasing demand for decentralization in many developing countries in the world. Many studies indicate that decentralization may help us in the following way (Jennie and Richard 1998; Islam 1997; Rondinelle and Nellis 1986; Conyers 1986):

- ✧ It increase government officials sensitivity to local conditions and needs;
- ✧ It help national government ministries reach larger numbers of local areas with services;
- ✧ It allow greater political representation for diverse political, ethnic, religious, and cultural groups in decision-making;
- ✧ It leads to more creative, innovative, and responsive programs by allowing local “experimentation”;
- ✧ It increases political stability and national unity by allowing citizens to better control public programs at the local level.

In light of the above, it is clear that decentralization helps to build and strengthen local self-governance. However, Rao (2005) and Khan (2009) emphasized, there are issues associated with this approach and certain structural requirements that must be addressed. Since these are crucial to the success or failure of decentralization, they are summarized below.

- ❑ The guiding principles are often the missing components of decentralization. These guiding principles should include the purpose of decentralization, and a design for implementation. There must be also be a clear definition of roles for the various management levels and the linkages between them must be identified.
- ❑ Decentralization requires improved legal, regulatory and financial framework to ensure clear division of responsibilities, accountability and transparency.
- ❑ Monitoring and evaluation procedures for decentralization should be specified.
- ❑ Regional and local capacities for Decentralization should be full assessed prior to implementation of a countrywide decentralization process.
- ❑ Creative local solutions should the encouraged and disseminated. Decentralization is expected to enhance creative problem solving at the local level.

## 1.2. Objectives

Many studies have been conducted on rural government administration in India, such as *Panchayats and People: The West Bengal Experience* (Pramanik S. Kumar 1994); *Caste, Gender and Class in Panchayats: Case of Bardhaman, West Bengal* (Lieten 1992); *Decentralization and Reform in China, India, and Russia* (Bardhan Prannab 2000); 'The West Bengal *Panchayati Raj* Act 1994' in *State Panchayat Acts: A Critical Review* (Chandan and Prabhat 1995); *Grassroots Democracy: A Study of the Panchayat System in West Bengal* (Maitreya and Maitreesk 2000); *Recent Reforms in the Panchayat System in Bengal: Towards Greater Participatory Governance* (Ghatak, Maitreesh 2002); *Pro-Poor Growth and Governance in South Asia: Decentralization and Participatory Development* (Ponna and Susil 2004); *Dynamics of Grassroots Governance in India: Dreams and Reality* (Ram D. Sunda 2007).

Equally, several studies have been conducted on rural government administration in Bangladesh, such as *Politics, Development and Upazila* (Ali, A.M.M. Shawkat 1986); *Upazila Development Planning* (Faizullah 1988); *Local Government in Bangladesh: Problems and Issues* (Noor 1996); *Reform Agenda for Field Administration and Local Government* (Tofail 2000); *Decentralization and Rural Development in Bangladesh* (Nagendra KR. Singh 2003); *Local Government: Local People's Participation* (Mallick 2004); *Administrative Culture in Bangladesh* (Jamil, Ishtiaq 2007); *Decentralization in Bangladesh* (Khan 2009).

It is now generally recognized that a decentralized rural government administration is necessary for sustainable rural development. One of local government's most important roles is to reach the local people and to deliver basic services to assist them and improve their quality of life (Siddiqui 1994). Islam and Koichi (2009) examined the existing lowest-tier rural administration in Bangladesh is usually dependent on the middle/upper-tier rural administration for most of its activities and thus has a limited role in rural development programs. By contrast, the Indian state of West Bengal has been active in promoting various initiatives using the *Gram Panchayats* (Lowest-tier) as the primary instruments of rural development. Rural development programs in India, have been mostly conducted by the lowest-tier, and the objective of middle tier is to assist to lowest tier by preparing five year and annual plans.

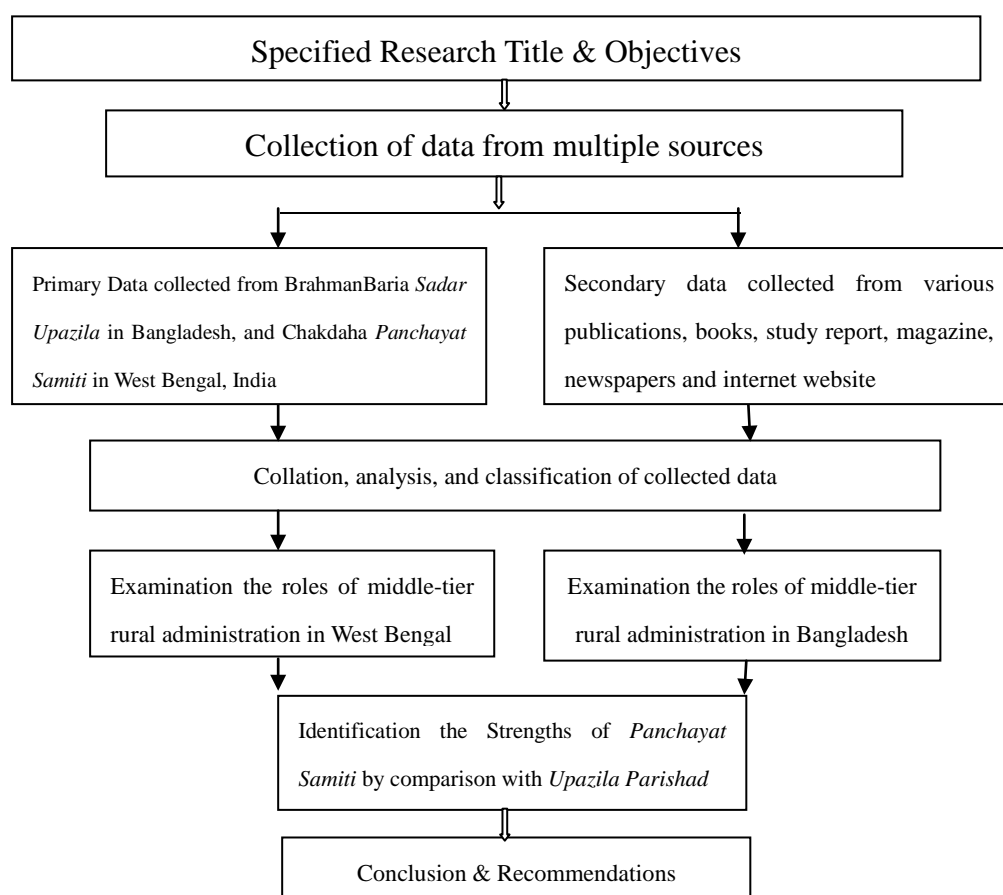
Therefore, it is desirable to examine the current rural government administration, and their roles in India and Bangladesh. However, no studies have been found that

specifically compare the functions of the middle tier *Panchayat Samiti* in West Bengal with the *Upazila Parishad* in Bangladesh. Therefore, the present study aimed to examine the dimension of administrative decentralization process in rural India to see what insights could be gained that would be applicable to the Bangladeshi situation. Specifically, the study aims to–

- ❑ Examine the evolution of rural administration in India and Bangladesh;
- ❑ Examine the structures, roles and functions of middle tiers in both countries;
- ❑ Identify the strengths of *Panchayat Samiti* by comparison with *Upazila Parishad*;
- ❑ Suggest potential areas to accelerate decentralization process at the middle-tier rural administration in Bangladesh.

## 2. Study Materials and Research Method

The following methodological outline is followed in present research:

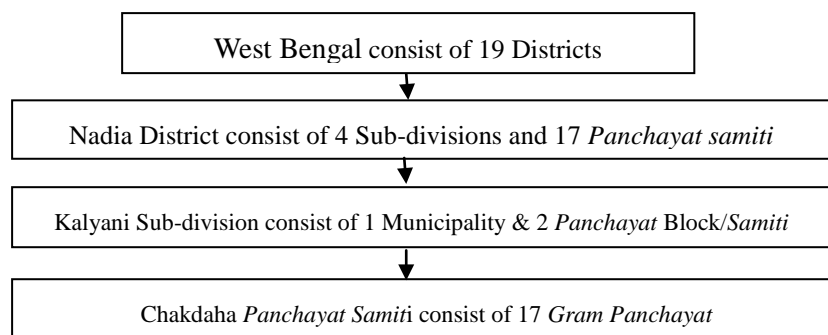


The data collected from the primary and secondary data sources has been arranged in an appropriate format by editing, coding, classification and tabulation. After analysis, both quantitative and qualitative data has been presented in tables and figures for

interpretation. Secondary data has been gathered from multiple sources including administrative agencies such as the National Institute of Local Government (NILG), Dhaka, Bangladesh; State Institute of Panchayat & Rural Development (SIPRD), West Bengal, India; and the Institute of Developing Economics (IDE), Tokyo, Japan. Various publications, books and research reports also were used. Primary data was collected from two field surveys in the Brahmanbaria District in Bangladesh and the Nadia District in West Bengal. There are nine Upazila in Brahmanbaria District, and Brahmanbaria Sadar Upazila was selected for the primary data. The Nadia district consists of 17 Panchayat Samiti/Community Development Blocks, and Chakdha Panchayat Samiti was selected for the primary data. The surveys were conducted in two phases: December 18-23, 2011 and January 5-10, 2012.

### **3. *Panchayat Samiti* and Its Administrative Structure**

As a result of 73<sup>rd</sup> amendment, there is almost a uniform three tier structure of the *Panchayats Raj* Institute in India (PRIs). West Bengal, Maharashtra, Uttar Pradesh and Orissa have made necessary amendments in their existing Acts, whereas the other states have replaced the old acts with new acts. There is no intermediate tier in Goa, Jammu & Kashmir, Meghalaya, Mizoram, Nagaland and Sikkim. There is no uniformity in the nomenclature used in different states for *Panchayats*, chairpersons and also in the mode of election for the chairpersons at different tiers of the *Panchayats*. Now there are more than 500 district *Panchayat*, 6000 *Panchayat Samiti*/Community Development Block and more than 2.4 lakhs *Gram Panchayat* in rural India (SIPRD 2008). 73<sup>rd</sup> amendment also reserved one-third of the seats at all levels of the *Panchayats* for women. Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and Scheduled Tribes) of the total number of seats to be filled by direct election in every *Panchayat* shall be reserved for women and such seats may be allowed by rotation to different constituencies in a *Panchayat* (Mathew 2002). So far, the *Panchayats* even in West Bengal were a male-bastion, women constituting hardly two percent of the members (Maitreya and Maitreesh 2000). Last elections indicate that a large number of women as well as members of Scheduled Caste (SC) and Scheduled Tribes (ST) have started taking part in public affairs. One of the most important aspects of the PRI is its influence to rural development and it became voice of weaker sections/people (Kondo 2008).



**Figure1. Administrative Units in West Bengal**

*Panchayat Samiti* is the middle/intermediate tier in the rural government in West Bengal. *Panchayat Samiti* has taken the place of the former *Anchalik Parishad*. Figure 1 shows the administrative units in West Bengal. This Figure indicates that several *Gram Panchayats* form a *Panchayat Samiti*, and several *Panchayat Samiti/Block* forms a Sub-division, and several Sub-divisions form a District. There is a regular election for the *Panchayats Raj* Institutions (District, *Panchayat Samiti* and *Gram Panchayat* level) with seat reservation for women and scheduled castes and scheduled tribes (SIPRD 2008). Each *Panchayat Samiti* consists of elected members, a Block Development Officer, and other Officials ordinarily stationed at the block. *Savapati* (Chairman) is the head of the body and is elected directly by the *Panchayat Samiti* members. The Block Development Officer (BDO) of the respective block is the executive officer of the *Panchayat Samiti*. The main functions of the *Panchayat Samiti* are planning, execution, and supervision of all developmental programs in the Block. The *Panchayat Samiti* also supervises the works of *Gram Panchayats* within its jurisdiction. *Panchayat Samiti* may subject to the approval of the State government.

Hill Areas: in each <i>Gram Panchayat</i>		Other Area	
Upto 1200 voters	: One	Up to 4500 Voters	: One
From 1201 to 2000	: Two	From 5001 to 9000	: Two
2001 and more voters	: Three	9001 and more voters:	Three

**Figure 2: Number of Elected Members to *Panchayat Samiti* allocated to each *Gram Panchayat***

In West Bengal, there is a *Panchayat Samiti* for every block except in the hills areas of the Darjeling District (SIPRD 2006). Each subdivision contains community development blocks which in turn are divided into rural areas and census towns/municipalities. Chakdaha block/*Panchayat Samiti* in Kalyani Sub-division in Nadia District was selected for the primary data. Chakdaha *Panchayat Samiti* has a total

of 17 *Gram Panchayat*. In every *Panchayat Samiti* up to three members are directly elected from each constituent *Gram Panchayat* on the basis of the number voters as shown in Figure 2. For this purpose, every *Gram Panchayat* is delimited into one, two, or three constituencies as the case may be by way of clubbing the adjoining revenue villages. From these constituencies, members are directly elected by the people. In addition, *Panchayat Samiti* has following ex-officio members:

- ✧ *Prodhan* (Head) of the *Gram Panchayat*;
- ✧ *Zila Parishad* members (Not being *Sabhadhipati* and *Sahakari Sabhadhipati*) elected from the respective *Panchayat Samiti*;
- ✧ M.L.A.s and M.P.s (both of *Lok Sabha* & *Rajya Sabha*) not being ministers elected from the areas.

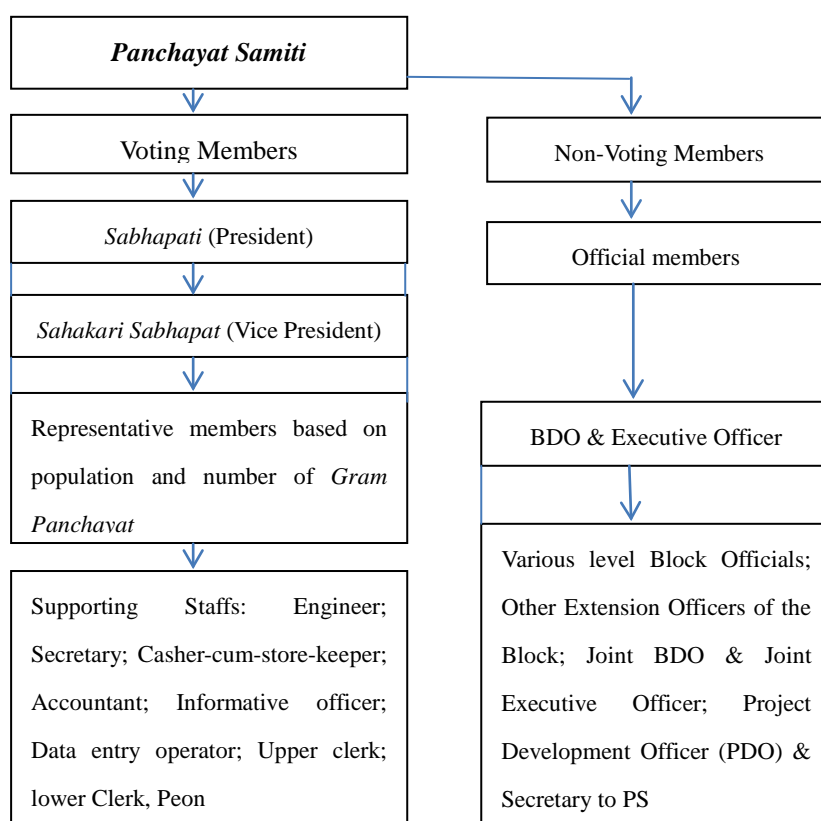
To carry out the business of the *Panchayat Samiti*, one of the directly elected members, is elected as *Sabhapati* (President) and another as *Sahkari Sabhapati* (Vice-president) in the first meeting of the *Panchayat Samiti*. Ex-officio members are not eligible to participate in this process.

### **3.1. Functionaries**

The objective of the *Panchayat Samiti* is to achieve economic development and social justice for all in its jurisdiction and, in furtherance of this objective, to prepare five year plans and an annual plan. They are also authorized to undertake schemes or adopt measures including providing financial assistance for the development of agriculture, fisheries, live-stock improvement, cottage movement, rural credit, water supply, irrigation and minor irrigation including water management watershed development, public health and sanitation, establishment and maintenance of dispensaries and hospitals, communication, primary and secondary education, adult and non-formal education, social and farm forestry, rural electrification including distribution, non-conventional energy sources, women and child development, social welfare and other objects of general public utility. Like the *Upa Samiti* (Sub-committee) in the *Gram Panchayat*, the different functions of the *Panchayat Samiti* are carried out through ten *Sthayee Samitis* (Subject Committees). These are:

- (1) Finance, Establishment and Planning;
- (2) Public Health and Environment;
- (3) Public Works and Transport;
- (4) Agriculture, Irrigation and Co-operation;
- (5) Education, Culture, Information and Sports with Youth Welfare;
- (6) Child and Women Development, Social Welfare and Relief;

- (7) Forest and Land Reform;
- (8) Fisheries and Animal Resource Development;
- (9) Food and Supply;
- (10) Small Scale Industries, Electricity and Non-conventional Energy.



**Figure 3. Panchayat Samiti Membership**

**Sources:** Field Survey, Chakdha Panchayat Samiti, Nadia District, West Bengal, India, January, 2012.

The Sabhapati (President) is in charge of the general and financial administration of the Panchayat Samiti. One of the elected members in each subject committee is elected as a convener. In addition, officers of the respective government line department in the Block are tagged to the respective Sub-committees by the executive order of the State Government. The Block Development Officer (BDO) of the specific Block is the ex-officio executive officer of the Panchayat Samiti and the Project Development Officer (PDO) of the Block is the ex-officio Secretary. The function of the executive officer is to aid and advise the Panchayat Samiti on how to carry out its business and also to implement its decisions with employees of the Panchayat Samiti. Figure 3 shows that Panchayat Samiti has sufficient employees of its own, whose salaries are born by the State government. Besides almost all the employees of the Block set up i.e. different



line department officers and employs are also tagged with the Panchayat Samiti. All these employees are to act through executive officer of the Panchayat Samiti.

### **3.2. Sources of Funds and Grants**

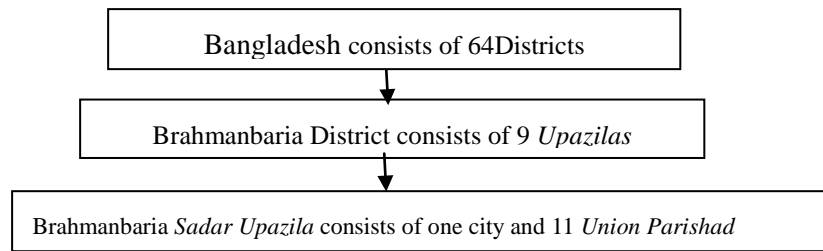
For every *Panchayat Samiti* there is a fund made up of the following components:

- ✧ Contribution from Central and State government;
- ✧ Contribution by the *Zila Parishad*;
- ✧ Loans from government or other institutions;
- ✧ Tolls, rates and fees;
- ✧ Receipts in respect to maintenance of school, hospitals and other public works placed under its control;
- ✧ Gifts or contributions;
- ✧ Fines and penalties.

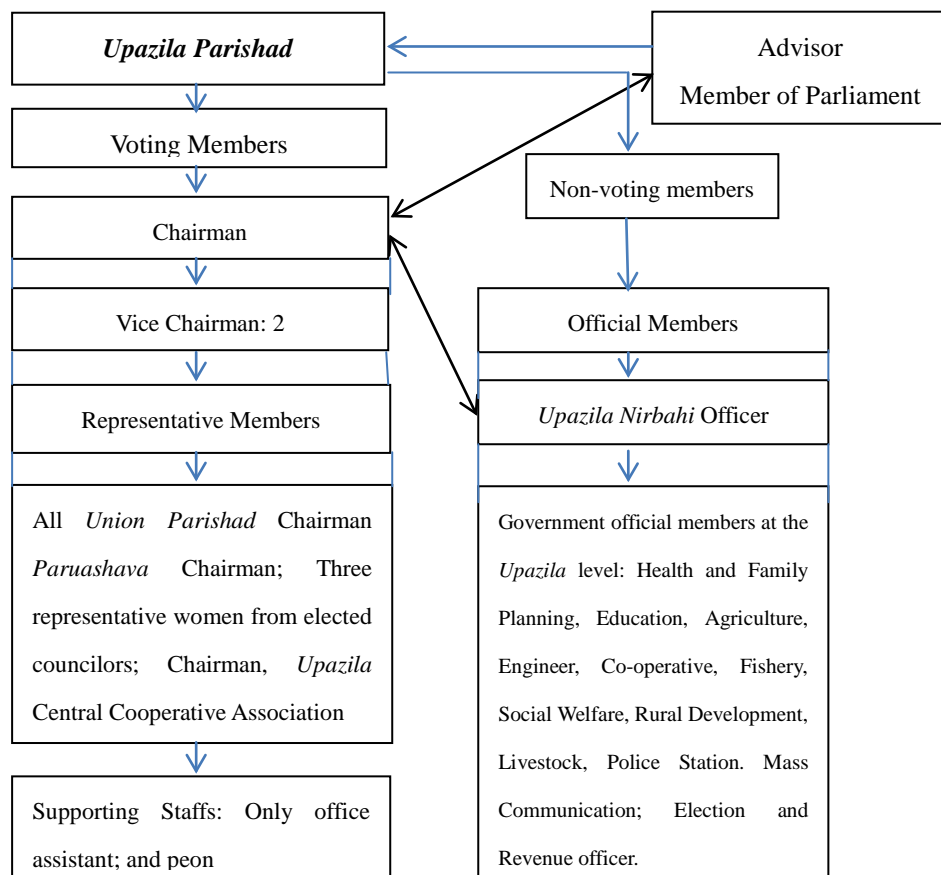
For revenue generating purposes, a *Panchayat Samiti* is authorized to adopt by-laws to collect tolls, rates, fees, fines and penalties, provided their rates do not exceed the maximum rates prescribed by the government. The funds are retained in the Local Fund Account of the Local Government Treasury in the name of each respective *Panchayat Samiti*. The fund is operated by the executive officer of the *Panchayat Samiti* as the State government designated withdrawing and disbursing officer.

## **4. Upazila Parishad and Its Administrative Structure**

History indicates that decentralization practice in Bangladesh is mostly political, and it is largely depend on attitude of ruling political parties. After independence in 1971, the first action of the new government was to rename the rural local bodies. The name of the Union Council was changed to *Union Panchayat*, the *Thana* Council was changed to *Thana* Development Council and the District Council to *Zila* Board. The Local Government Ordinance 1976, provided for three types of local government, namely *Union Parishad* at the *Union* Level, *Thana Parishads* at the *Thana* level, *Zila Parishads* at the *Zila* level. The Local Government (*Swanirvar Gram Sarkar*) Ordinance 1980 was introduced at the village level. This tier was abolished by Martial Law in July, 1982. In 1982, the *Upazila* replaced the *Thana*, the oldest institution in Bangladesh, as part of a nation-wide reform. The significant change in rural government was the insertion of the term “*Upazila*” to replace the word “*Thana*”. Generally, an *Upazila* corresponds to a *Thana*, although in some places two *Thanas* have been united as one *Upazila* (Faizullah 1987). Literally, *Upazila* means sub-district.



**Figure 4. Administrative Units in Bangladesh**



**Figure 5. Upazila Parishad Membership**

**Note:** Representative members are voting members within the *Upazila Parishad*, and Official members are non-voting members designated by the government among the Officials at the *Upazila*.

**Sources:** Brahmanbaria Sadar Upazila, Brahmanbaria District, Bangladesh, December, 2011.

Since 1982, new Ordinances and Acts have been passed, including The Local Government (Thana Parishad and Thana Administration Reorganization) Ordinance 1982, The Local Government (Upazila Parishads and Upazila Administrative Reorganization) Ordinance 1982, The Local Government (Zila Parishad) Act 1988, Hill

Tract District Local Government Parishad Act 1989, and The Palli Parishad Act 1989 (Tofail 2000; Siddqui 1992; Faizullah 1988; Ali 1986). The Local Government Ordinance 1982 and Local Government Act 1998, provided details on the structure and functions of the Upazila Parishads (Huque 1988; Tofail 2000; Habib 2009). It was created as a local administrative entity under the government's decentralization program. In 1991, the provisions of the 1982 ordinance were abolished and Thana again replaced the Upazila. The Upazila again replaced the Thana in 2009. Figure 4 shows the administrative units in Bangladesh. In this study Brahmanbaria Sadar Upazila in Brahmanbaria district was selected as the source of primary information. Figure 5 shows membership of the *Upazila Parishad*. As the figure shows, a *Upazila Parishad* (UZP) consists of a chairman and 2 vice chairpersons (one of them a woman) elected by all voters within *Upazila*. Other members are, all chairpersons of the *Union Parishads*; *Paurashava* (municipality) located within the *Upazila*; the chairman of the *Thana* Central Cooperatives Association; three women elected from among local councilors; and official members as designated by the government from among the officials at the *Upazila* level.

The Chairperson and Vice-chairpersons of the *Upazila Parishad* are elected directly by the voters of the entire *Upazila* on the basis of adult franchise (Citizens, 18 years or older, both male and female have equal rights). In Bangladesh, the *Upazila Nirbahi Officer* (UNO), is the chief executive of an *Upazila*. UNO refers to an officer of central government who administers the *Upazila* for the central government. Until the election of the chairman of *Upazila Parishad*, the chief executive officer (UNO) of the *Parishad* is authorized to act as chairman. Since the launching of the decentralization program in 1982, which promised a democratization and decentralization of local government through the *Upazila* system, only three elections have been held. The first elections were held in two phases, May 16 and May 20, 1985. The second election was held March 12 to March 25, 1990. The most recent election of *Upazila Parishad* was held, after a 19 year interval, on January 22, 2009.

#### **4.1. Functionaries**

A Charter of duties was prepared for the range of duties performed by the *Upazila Parishad*. The following seventeen articles were duties transferred to the *Upazila* (Nagendra 2003; Sato 1994; Larry 1984). Very briefly these are: 1. Civil and criminal law; 2. Taxation; 3. Law and order; 4. Registrations; 5. Essential commodities; 6. Electric power; 7. Irrigation; 8. Technical education and secondary school education; 9.

Hospitals; 10. Facilities for research and experimentation; 11. Large-scale breeding centers; 12. Large-scale industries; 13. Transportation and communication between district and *Upazila*; 14. Flood control and water resources; 15. Marine fisheries; 16. Mining and resources; and 17. National statistics. Moreover, the *Upazila Parishad* was able to request responses from the pertinent central government administrators concerned with the above areas. However, personnel matters, even for administrators concerned with both transferred and reserved subjects, were retained by central government. The *Upazila Parishad* was assigned with a wide range of functions. The function of the government at the *Upazila* level has been divided into two categories - retained subjects and transferred subjects. The regulatory functions and major development activities of national and regional coverage fell under the category of retained subjects and were controlled by the central government. All other development activities which were considered in local nature had been recognized as transferred subject and responsibility for those had been given to the *Upazila Parishad*. Transferred subject included agriculture and irrigation, primary education, health and family planning, rural water supplies and sanitation, rural works, disaster relief, food-for-work program, cooperatives, fisheries and livestock development. The Retained subjects included law and order, justice, central revenues, large-scale irrigation and industries, and higher and technical education.

*Upazila Nirbahi Officer* (UNO), a central government functionary, acted as the head of civil administration and became the chief executive officer of the *Parishad* (Sarkar 2006). However, during the survey and also from secondary data indicated that there is a conflict of interest in between *UNO* and *Upazila* Chairman. The studies conducted by the Nagendra (2003) and Rahman (1991), shows that conflicts associated with the *Upazila Parishad* decentralization process were broadly either political or administrative. The political conflict may be viewed from two angles, national and local. From the very beginning of the *Upazila* policy, political parties at the national level opposed any steps towards the implementation of the concept. Their argument was that only a sovereign parliament could take a decision on such a radical change. Therefore, the opposition political parties boycotted the *Upazila* elections to elect the chairmen of the *Parishads*. In spite of such a boycott *Upazila* polls were held. After the first *Upazila* polls, political conflict appears to have settled at the national level. However, a new type of local conflict developed after the polls when the elected chairmen took office. The conflict between Chairman and *UNO* was not political but administrative. Such conflict was observed during the early days in office of newly elected chairmen who replaced

the *UNOs* then acting chairman of the *Parishad*. In the pre-election period the *UNO* exercised all the power of the chairman; after election he became a subordinate to the Chairman at the same *Upazila*. This change hurt the vanity of the *UNO* and that was the real source of conflict. Administrative conflict may be two kinds, one is the conflict between Chairman and *UNO* that has been discussed, and the other is the specialist-generalist controversy. The specialist-generalist controversy reached a peak when the *UNO* was the acting chairman. The members of the specialist services at *Upazila* level refused to recognize the *UNO*, a generalist, as being in a position of supremacy. On the other hand, according to the Local Government Ordinance 1982 and 1983, *Union Parishads* are mostly dependent on the assistance and co-operation of the field of administration at the *Upazila* level for the management of their development work (Chowdhury 1987). But the relationship between *Union Parishad* chairman and *Upazila Parishad* chairman suffered from problems of co-ordination (Khan 1986). There is a new dimension conflict has been occurred when *Upazila Parishad* Ordinance 2008 was passed in 6<sup>th</sup> April, 2009 by reinstating MPs as advisor of the *Upazila Parishad*, despite protest from the all newly elected *Upazila Parishad* Chairmen and Vice-chairpersons (Financial Express 2009). This Ordinance increased the complicity of the *Upazila Parishad's* governance structure. Many consider this provision as unconstitutional and a “slap for democracy”(Kabir 2009; Rahman 2009). A report published on Daily Shomokal (2012) describes three dimension of conflict at the *Upazila Parishad*, the corners of the triangle being the *UNO*, the *UP* Chairman and Local Member of Parliament.

#### **4.2. Sources of Fund and Grants**

The Local Government (*Upazila Parishads* and *Upazila Administrative Reorganization*) Ordinance 1982, provided the necessary grant-support provision for the *Upazila Parishad* to meet their pay and establishment costs (Rahman 1995; Fazullah 1988). The moneys constituting the income of the *Upazila Parishad* can be categorized into: government grants and own income. The grants provided by the government are usually categorized as follows:

- ✧ Grants made by various government ministries from the revenue budget for salary, allowances, and contingency expenditures of staffs deputed to the *Parishad*;
- ✧ Grants made out of the development budget for Block Development Assistance to finance the development activities of the *Upazila Parishad*;
- ✧ Grants made by central government agencies in divisible components of centrally administered development projects; and

- ✧ Functional contingencies provided by some government agencies in respect of specialized services rendered by the *Upazila Parishad* such as health and family planning.

*Upazila Parishad* have been given powers to generate their own income from the following revenue sources: lease money on natural inland fisheries; tax on professions and trades; tax on dramatic and theatrical shows; fees for fairs and exhibitions, licenses and permits; tolls on services; and lease money from bazaars. Several studies indicated that though *Upazila* system had been given the authority to collect taxes, they mostly depended on the development assistance funds they received from the central government (Khan 2009; Ahmed 1997). The central government closely supervises and controls finances, and can wield power by reducing or increasing grant-in-aid to local bodies.

## 5. Results and Discussions

*Panchayat Samiti (PS)* and *Upazila Parihah (UP)* work at the intermediate-level and constitute the most important tier of the rural local government administration in India and Bangladesh respectively. However, *UP* face serious problems in performing their assigned tasks. The most frequently cited issues for *UPs* are summarized below and comparison made with the somewhat more effective equivalent rural institution, the *PS*, in West Bengal. These are:

**Pilot Project Program:** It is widely recognized that decentralization policy has to be carefully planned, closely supervised and strongly supported by the administrative and political system of the country. Before undertaking any program government should collect data through opinion polls, open debate, and parliamentary debate. It is crucial that controversial political, economic and social issues be resolved before implementing a decentralization program on a large scale. One major weakness of the *Upazila* system was that it was implemented without any pilot project program. Bangladeshi people are familiar with pilot projects, and, from the outset, this caused many people to raise questions about its success, and particularly to cast doubts on whether the country's economy would be able to sustain such a major proliferation of administration (UNDP 2002; Chowdhury 1987). By contrast, the *Panchayats* system in India started with pilot project program before national implementation. This may have contributed greatly to the apparently widespread acceptance and support of *Panchayats*.

**Election:** The effectiveness and functionality of local government units requires elected representatives who are popular, committed and action oriented. This requires government to ensure that elections for local government bodies are both fair and held

regularly. Without proper popular representation, local interests would not be protected and local initiatives would not receive the required levels of support. The *Pachayats* in West Bengal have regular election on time. However, *Upazila Parishad* have had only three elections in the thirty years since the implementation of the system in 1982.

**Women's Representation:** CIRDAP and Commonwealth Secretariat (2005), concluded that the local government expenditure as a proportion of GDP, would be one of the criteria to measure decentralization issues. The representation of women, who are directly elected, may be another measurement criterion of decentralization (Rao 2005). Both *PS* and *UP* have women representation, and they are elected. However, India has taken concrete measure to draw women into leadership positions. 73<sup>rd</sup> constitutional amendment provided one-third representation to women in elected bodies as well as reserving one-third of the offices of chairpersons for them (Mathew 2002).

**Local Representation:** Both *PS* and *UP* have representatives from each local area. However, local representatives in the *PS* system have a more significant role in decision making.

**Staffing Levels:** *PS* have sufficient skilled and expertise for the rural development projects. *Upazila* level there is a lack of adequate technical and managerial competence among government functionaries to perform their expanded roles under a decentralized rural local government set-up. The only staffs in *Upazila* are an office assistant and peons. By contrast, *PS* have a total of ten technical, administrative and clerical staffs.

**Training:** *UP* has no clear-cut training policy. Although, on paper there are some training programs for the *UP* elected members and staff, in practice this training seldom takes place. Whereas the State Institute of *Panchayats* & Rural Development organizes various annual training programs for *Panchayats* elected members and staff to build their capacity for development activities.

**Lines of Communications and Accountability:** Lack of coordination between elected representatives and government staff hampers normal *UP* functions. The connection between *UP* and higher levels of government is limited to reporting and budgetary planning requirements. Upper level rural government exercises a lot of control over the functioning of the *UP* by conducting periodic inspection of their papers, records and property (Aminuzzaman 2004; Sarkar 2003). According to the *UP* guidelines, representatives of the *Upazila Parishads* are accountable to the community. However, in practice, the representatives of the *UPs* mostly feel accountable to the upper/central government bureaucratic bosses, rather than to the community.

By comparison, the *Panchayat Samiti*, has a more tenable position within the government structure because of the constitution of its sub-committees. Every

sub-committee has wide-ranging powers. They are headed by elected members but also include official from the relevant government departments. This creates automatic access and mutual understanding. Accountability is more immediate and shared. The *UP* charter does not significantly empower it to pursue development activity but rather identifies its primary function to be dealing with strictly local administrative functions. The prescribed activities of the West Bengal *Panchayat Samiti* therefore, send a clearer message regarding their role in the development process.

**Revenue:** The Brahmanbaria *Sadar Upazila* elected members and staff reported that the *UP* suffers from lack of funds, mainly because they do not levy all the taxes and revenues which they could claim. Although there are various factors that cause this situation, a primary reason is that the *UP* Chairman and Vice-chairperson do not apply pressure to tax payers in their area for fear of loss of popularity. However, *PS* has more revenue collection and relatively adequate budget for development activities.

**Relation with Upper and Lowest tiers:** All *Upazila Parishad* is organically linked to both the Upper (*Zila Parishad*) and Lower (*Union Parishad*) tiers. *Zila Parishad* supervises *Upazila Parishad*, and *Upazila Parishad* dominates *Union Parishad* activities. However, in the *Panchayat* system, the three tiers assist each other.

**Interference from Upper-tier and Central government:** The *Upazilla* administration has an elected chairman, as the chief executive, and two elected Vice-chairman. On the salaried government official side there is the *Upazila Nirbahi Officer* (UNO), who acts as a staff officer to the chairman. Twelve other mid-ranking departmental officers deal with subjects relating to their departments. However, interference from upper-tier administration and central government is common. Thus the *Upazila* system can be categorized as “Decentralization within Centralism”.

**Lack of Coordination and Conflict perspective:** The interdepartmental activities at the *Upazila Parishad* have had various co-ordination problems, such as the relationship between *Upazila* and *UP* chairman; *UNO* and *Upazila* chairman; *Upazila* chairman and the local Members of Parliament (MP). Co-ordination problem is a constant in *Upazila* administration and development program. The contradictions between the political and administrative wings of the local government unit often disrupt their functioning. The officials argue that as the political leaders lack technical expertise required for developmental works, they should work under the supervision and control of bureaucratic official. On the other hand local leaders claim that they are in a better position to understand local problems and find out solutions. Neither officials nor local leaders mind cooperation with each other.



## 6. Conclusions and Recommendations

Decentralization denotes the transfer of power and authority from the central government to local units of the government for the meeting of grass root peoples demand. However, decentralization in Bangladesh is a political issue that often arises from political commitment. Almost all attempts to change local government aimed at serving the interest of the rulers rather than ruled (Kabir 2009; Raman 2009; Jahan 1997). *Upazila* system was an attempt to introduce decentralization at the middle-tier rural administration in Bangladesh. However, decentralization process at the Upazila level has not succeeded in ensuring popular participation in rural Bangladesh (Habib 2009; Rahman 2009; Khan 2009; Sarkar 2003). It was implemented without any pilot project program. The roles and functions have not been clearly specified. It is mostly dependent on higher levels of government. The central government controls finances, and can wield power by reducing or increasing grant-in-aid to local bodies.

*Panchayats* or rural local government in India, have ancient origin and functioned as an effective instrument of people's organizations at the grassroots levels (Ram 2007). According to Mathew (2002) "...there is no other socio-political program launched by the government in independent India which has generated as much enthusiasm and participation of the people ...". As a result of the 73<sup>rd</sup> Amendment, a more or less a uniform pattern of *Panchayat Raj* Institution now exists in all states in India (SIPRD 2008). *Panchayats* in West Bengal is not only meant for decentralization of power and people's participation but it is also for supporting rural development and strengthening the planning process at the grassroots level. It has been entrusted with the responsibilities for implementation of all programs directly aimed at alleviation of rural poverty (PRDD 2009). In *Panchayats* system, the relation in three tiers is cooperative. Their roles and functions have been clearly specified. Middle-tier (*Panchayat Samiti*) assists lower-tier (*Gram Panchayat*) to prepare annual/five years planning, and implementing the programs at the field levels. It is crystal that 73<sup>rd</sup> Amendment was for all practical purpose, delegated responsibilities for the design and implementation of decentralization to the state. This amendment gives the constitutional mandate, process of democratic decentralization and the power to formulate planning for economic development and social justice (PRDD 2009). Another important stipulation of this amendment was the requirement of reserved seats for women and deprived communities. Decentralization has the following dimension in this amendment:

- Political Decentralization: This amendment has transferred the policy and legislative powers to local bodies that have been diametrically elected, and

establishment of mechanism of accountability to local constituents.

- ❑ Administrative Decentralization: This amendment has transferred of functional responsibilities in various sectors as well as staff resources to the jurisdiction of elected local government.
- ❑ Fiscal Decentralization: The transfer of revenue and expenditure authority to local elected bodies.

Several studies indicate that when decentralization is initiated first in a specific sector, it often meets resistance by who do not want to transfer their power (Khan 2009; Rao 2005; Islam 1997; Faizullah 1988). Therefore, the process of decentralization of development through *Upazila Parishad* should be continued on regular basis. It is a unique attempt to break the traditional bureaucracy at the middle-tier and for this reason alone it should be continued in spite of initial problems. Such problems could be overcome through proper corrective measures and constant monitoring. Possibly no organization is able to attain absolute perfection from the outset. There needs to be more research and model projects to realize its desired goals. A road map needs to be prepared for the functional role and responsibilities of *Upazila Parishad*. The road map should provide strategies to give a bigger voice to local people by activating a new political structure at the *Upazila Parishad*. Citizens should also have a voice in evaluating the level of improvement in local services. To consider implementation in more detail:

- ❑ All activities need to be identified and developed at the three levels of local government without duplication. This exercise should be carried out by exercise “activity mapping” and should preferably be done on the principle of subsidiary. This principle holds that anything that can be done at a lower level should be done at that level and not at any higher level.
- ❑ Co-operation and collaboration in upper, middle and lower tiers is necessary; their roles and functions should be clearly specified.
- ❑ Government should ensure both fair and regular elections for local government bodies. Without proper popular representation, local interests would not be protected and local initiatives would not receive the required levels of support.
- ❑ Unnecessary interference by bureaucrats, political leaders and members of parliament must be stopped. The relationship between MPs and local government should be cooperative and complementary, not domination and subjugation.
- ❑ The *UP* manpower allocation needs to be rearranged to increase working capacity. New positions such as secretary, tax assessor, engineer and accountant would enhance functionality.

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